

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

RALPH BAKER,	:	
	:	
Petitioner,	:	Civ. No. 09-3654 (KM)
	:	
v.	:	
	:	
MICHELLE RICCI, et al.,	:	<b>MEMORANDUM AND ORDER</b>
	:	
Respondents.	:	
	:	

Petitioner is a state prisoner proceeding with this consolidated petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Previously, this matter was stayed as it was determined that petitioner had failed to exhaust his state court remedies on his claims. (*See* Dkt. Nos. 48 & 49) In a series of filings since the stay was entered, petitioner has indicated his preference to have his case reopened. However, this Court cannot determine based on petitioner's filings whether he has now exhausted his state court remedies, which would entitle him to have the stay lifted and have this federal habeas action reopened. Therefore, this Court will order the respondents to file a response to petitioner's request to lift the stay and reopen this action. The response shall specifically address the current status of petitioner's actions in state court related to his habeas claims since this Court stayed this case on September 9, 2013, and whether those claims are now exhausted. The response shall include any opinions and or orders issued by the state courts on petitioner's actions in state court related to his habeas claims in this consolidated action issued since September 9, 2013.

Accordingly, IT IS this 29th day of September, 2016,

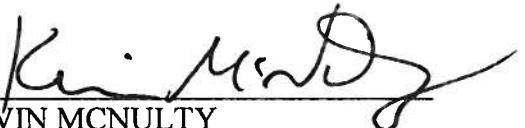
ORDERED that respondents shall file a response to petitioner's requests to reopen this case (Dkt. Nos. 56-60) within thirty (30) days of the date of this Order; and it is further

ORDERED that respondents' response shall specifically address whether petitioner has exhausted his state court remedies on the claims he has raised in this consolidated habeas action; and it is further

ORDERED that the respondents shall attach to their response any opinions/orders that the New Jersey State courts have issued on petitioner's actions for relief from his judgments and convictions related to this consolidated federal habeas action since September 9, 2013; and it is further

ORDERED that petitioner may file a reply to respondents' response within twenty-one (21) days of when it is filed; and it is further

ORDERED that the Clerk shall serve this Order on petitioner by regular U.S. mail.

  
KEVIN MCNULTY  
United States District Judge